



Swinburne University of Technology

Response to the Australian Tertiary Education Commission Implementation Consultation Paper

Swinburne University of Technology (Swinburne) welcomes the opportunity to respond on the proposal to establish an Australian Tertiary Education Commission (ATEC) in response to the Australian Universities Accord Final Report.

Our sector needs to be stronger, future-focused, resilient and responsive to the needs of the nation and global ructions. The Government's initial response in the 2024-25 budget is a positive first step in what is a once in a generation opportunity to improve the sector.

The Universities Accord underscores the imperative for universities to innovate and evolve in terms of type, diversity, size and number over the coming decades. This is required now more than ever if we are to reach the Accord's ambitious target of 80 per cent of working-aged people by 2050 having a tertiary qualification.

The Universities Accord Final Report recommended the establishment of an ATEC to combat the significant failures of the past, where the absence of a strong sector stewardship function has been telling. For the ATEC to be successful in this objective it is imperative that it is established as an independent authority anything less is unacceptable. In addition, if implemented as suggested in the Consultation Paper, it will diminish confidence in the broader Accord review to improve the quality, accessibility, affordability and sustainability of higher education.

Swinburne has strong reservations on the proposed implementation of the ATEC as referenced in the Consultation Paper and makes the following recommendations:

1. **Deferring implementation of the ATEC** and undertake a broad co-design consultation process through the Australian Universities Accord Implementation Advisory Committee.
2. **Guarantee that the ATEC will be established as an independent authority**, separate from the Department of Education to ensure political interference does not occur in relation to development of policy, managing funding grants and monitoring provider performance.
3. **A staged approach of the role and responsibilities of the ATEC** to provide a smooth transition and provide certainty to the sector of its success.
4. **Be provided with adequate resources and expertise** to effectively undertake its function as a steward for the sector. This includes recruitment of experts external of government and allocated funding over the forward budget estimates, Jobs and Skills Australia is an example of an effective model to take learnings from.

5. **Recruitment of a Deputy Commissioner with extensive knowledge and background working with dual sector universities**, providing practical insights to ensure a more streamlined and efficient tertiary system.
6. **Priority to drive system improvements through the ATEC**. Addressing pragmatism, duplication and regulatory burden with existing education organisations, this includes the Department of Education, Tertiary Education Quality and Standards Agency (TEQSA), Australian Skills Quality Authority (ASQA), Australian Research Council and relevant State Government agencies.

Establish the Commission as a separate independent authority

Swinburne agrees with the Universities Accord Final Report argument *“The tertiary education system is too important to Australia’s social, economic and environmental wellbeing to leave its future to the uncoordinated action of individual institutions”*. Recent reforms have failed the sector, our staff and most importantly our students, from the failure of the Job-Ready Graduates package and the ineffective reforms to TEQSA.

If implemented correctly in consultation with the sector, Swinburne agrees the ATEC has the potential to bring direction, cohesion and stability to policy making and capacity to drive reforms over the long term. The proposed implementation of the ATEC in this consultation paper being accountable to the Secretary of the Department of Education will diminish all independence and potentially open it up to political interference.

The consultation paper states that the Secretary of the Department will be the accountable authority for the purposes of the finance law and that the ATEC will be housed in the Department of Education, making it responsible for the proper use and management of the ATEC resources including recruitment and strategy. This diminishes any independence; Swinburne strongly recommends that the Government reconsider this approach and instead guarantee that the ATEC will be established as an independent authority and that this is referenced in the proposed legislation.

Staged approach to development of the Commission

The Universities Accord Final Report proposed that *“the Commission would work closely with the tertiary education sector and other stakeholders in the evolution of the tertiary education system. This would lead to increased certainty and confidence in the funding and governance settings required to make long-term changes as the system responds to the needs of the nation”*. Swinburne is overwhelmingly supportive of this approach. For it to be successful in providing confidence and certainty it should be set up to evolve over time, the establishment of Jobs and Skills Australia is a good example of this approach.

Swinburne recommends once an interim Commissioner is appointed that their first task be to develop an initial workplan or timeline in consultation with the sector. In the initial years of the Commission’s creation, its initial key priorities could be stewardship of the Qualifications Framework, review of research funding, support for student policy/ funding and helping to streamline pathways between both vocational and higher education (as a dual sector university Swinburne believes this is vital to bridging the gaps in the tertiary sector).

This staged approach is further reinforced through recommendation 47 in the Universities Accord Final Report: that to provide transparency and predictability for the tertiary education, the Australian Government outline a staged approach to implementation of the Review’s recommendations.

Adequate resources and expertise

For the ATEC to succeed, access to adequate resources and expertise is essential. Swinburne is concerned to reference in the consultation paper to usage of existing Departmental resources to minimise establishment and operating costs. We are understanding that government agencies do collaborate and share digital platforms and physical premises, however utilising existing staffing and other corporate capabilities within the Department of Education is impractical and will diminish the commissions independence. The Department of Education has already undertaken an ambitious reform agenda across early childhood, schooling and higher education. It does not have the capacity to support the day-to-day operations and strategy direction of the ATEC.

Another reference in the consultation paper of concern to Swinburne is for the ATEC to work in the national interest and retain sufficient distance from narrow, sectoral views. Swinburne like other universities across Australia have a wealth of academic expertise in a number of areas, this should be embraced. Jobs and Skills Australia has been successful in leveraging expertise across numerous sectors establishing a tripartite advisory body and appointment.

Swinburne is concerned in the lack of acknowledgment in the important role of dual-sector universities. If governments want to resolve the current unhelpful divide between the vocational and higher education sectors, then there is no better place to start than in dual sector institutions. Dual-sector institutions are at the forefront of designing and delivering educational programs that cater to a diverse range of industry needs and personal aspirations. They operate at the nexus of vocational and higher education, allowing both sectors to innovate and respond to evolving demand. the absence of these institutions in the Accord Implementation Group is a glaring gap. Without a dual sector Commissioner the government risks overlooking practical insights to ensure a more streamlined and efficient system.

Drive system improvements not additional regulatory burden and duplication

As a dual sector university, Swinburne operates in an ever-growing regulatory environment stifling innovation in designing and delivering learning across both vocational and higher education. Agencies we currently regularly report to includes TEQSA, ASQA, Australian Department of Education, the Victorian Skills Authority and the Victorian Office of TAFE Coordination and Delivery. Duplication in reporting between these organisations is extensive.

Swinburne recommends that a key initial priority for the ATEC is to drive system improvements across the tertiary sector with a mandate to undertake this through agreement by all Australian, State and Territory government ministers responsible for education.

In summary

Our sector needs to be stronger, future-focused, resilient and responsive to the needs of the nation and global ructions. If implemented in collaboration with the sector, the ATEC will function appropriately, providing independent advice to Government, and deliver better outcomes for the sector, students and the wider community.

Swinburne acknowledges the need for the establishment of an ATEC to combat the significant failures of the past, but without proper consultation and independent oversight it risks repeating previous mistakes.

